

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C.20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year)
13 June 2000 (13.06.00)

International application No.
PCT/US99/25224

Applicant's or agent's file reference
7332/JB

International filing date (day/month/year)
27 October 1999 (27.10.99)

Priority date (day/month/year)
06 November 1998 (06.11.98)

Applicant

REDDY, Pramod, Kakumanu et al

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

18 May 2000 (18.05.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

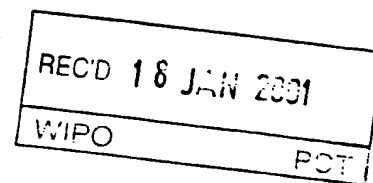
Authorized officer

F. Baechler

Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



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Applicant's or agent's file reference 7332/JB	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US99/25224	International filing date (day/month/year) 27/10/1999	Priority date (day/month/year) 06/11/1998
International Patent Classification (IPC) or national classification and IPC C11D1/22		
Applicant THE PROCTER & GAMBLE COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 18/05/2000	Date of completion of this report 16.01.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Klier, E Telephone No. +49 89 2399 8531 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US99/25224

I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):*

Description, pages:

1-48 as originally filed

Claims, No.:

1-10 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US99/25224

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	
	No:	Claims	1 - 10
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1 - 10
Industrial applicability (IA)	Yes:	Claims	1 - 10
	No:	Claims	

2. Citations and explanations **see separate sheet**

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US99/25224

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

D1: US-A-4 561 998
D2: CA-A-2 049 097
D3: US-A-3 211 660
D4: US-A-4 147 649
D5: DE-A-27 03 998
D6: US-A-4 018 720

1. The subject-matter of independent claim 1 seems to contravene Art. 33(2) PCT.
 - 1.1. Example I and compositions A and B of example II of D1 seem to fall under the scope of independent claim 1. The Hlc is inherently disclosed.
 - 1.2. The subject-matter of independent claim 1 appears to be known from the examples I, IIH -IIK,XII - XV and XX of D4.
 - 1.3. Example 14 of D6 seems also to fall under the scope of independent claim 1.
 - 1.4. The subject-matter of dependent claims 2 - 10 are also known from the above cited documents.
2. The documents D2, D3 and D5 are not novelty destroying because the amount of alkyl benzene sulphonate is too high in the surfactant system and/or the Hydrophilic Index does not inevitably fall within the claimed range of 8.0 to 9.2.
3. At present an inventive step (Art. 33(3) PCT) has not been substantiated.

Liquid detergent compositions comprising from 0.1 to 20% by weight of the surfactant system of an alkyl benzene sulphonate are known, see D1, D3 - D6. There is no proving in the application that the Hlc of the surfactant system and the

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US99/25224

amount of alkyl benzene sulphonate contributes to the solution. It could also be speculated that the amount of 30% surfactant or the amount of citric acid is responsible for the effect if there is any.

The applicant has provided no evidence that the features of claim 1 contribute to the solution of superior cleaning benefits. Alleged advantages should be supported by sufficient evidence where comparison is made (eg. the Hlc should be the only variable).

Re Item VII

Certain defects in the international application

1. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art is not identified in the application.

Re Item VIII

Certain observations on the international application

2. Usually HLB is used as a parameter to describe the hydrophilic character of a surfactant and not the parameter HIC as used in the application. This parameter might be used to disguise novelty.

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 7332/JB	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 99/ 25224	International filing date (day/month/year) 27/10/1999	(Earliest) Priority Date (day/month/year) 06/11/1998
Applicant THE PROCTER & GAMBLE COMPANY et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.



as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.



None of the figures.

INTERNATIONAL SEARCH REPORT

information on patent family members

International Application No

PCT/US 99/25224

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 4561998	A	31-12-1985	AT 22920 T	15-11-1986
			AU 559791 B	19-03-1987
			AU 1488883 A	01-12-1983
			CA 1208519 A	29-07-1986
			EP 0095205 A	30-11-1983
			FI 831832 A,B,	25-11-1983
			GR 78820 A	02-10-1984
			IE 55427 B	12-09-1990
			JP 1785137 C	31-08-1993
			JP 4077038 B	07-12-1992
			JP 59025894 A	09-02-1984
			MX 162610 A	31-05-1991
CA 2049097	A	16-02-1992	NONE	
US 3211660	A	12-10-1965	BE 613165 A	
			BE 617969 A	
			CA 689791 A	
			CA 704966 A	
			CA 845550 A	
			CH 414908 A	
			DE 1287245 B	
			FR 1314689 A	12-04-1963
			GB 948240 A	
			GB 978575 A	
			IT 650470 A	
			NL 276377 A	
			OA 847 A	15-11-1967
			SE 302498 B	22-07-1968
			SE 83862 C	
			US 3231504 A	25-01-1966
US 4147649	A	03-04-1979	GB 1562801 A	19-03-1980
			AT 364058 B	25-09-1981
			AT 989676 A	15-02-1981
			BE 850016 A	30-06-1977
			CH 626395 A	13-11-1981
			DE 2658073 A	14-07-1977
			FR 2337200 A	29-07-1977
			IT 1067697 B	16-03-1985
			JP 52101212 A	25-08-1977
			NL 7614588 A,B,	05-07-1977
DE 2703998	A	03-08-1978	AT 362484 B	25-05-1981
			AT 63378 A	15-10-1980
			BE 863451 A	31-07-1978
			BR 7800576 A	12-09-1978
			CH 635365 A	31-03-1983
			FR 2378852 A	25-08-1978
			IT 1111403 B	13-01-1986
			NL 7800334 A	03-08-1978
			US 4153570 A	08-05-1979
			ZA 7800580 A	27-12-1978
US 4018720	A	19-04-1977	MX 143694 A	25-06-1981
			PH 11493 A	01-02-1978

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US 99/25224

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C11D1/22

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C11D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 4 561 998 A (WERTZ JEAN-LUC H M ET AL) 31 December 1985 (1985-12-31) claims; example 2 ---	1-8, 10
X	CA 2 049 097 A (UNILEVER PLC) 16 February 1992 (1992-02-16) claims ---	1-3, 5-7, 10
X	US 3 211 660 A (G.F. MARION ET AL.) 12 October 1965 (1965-10-12) claims ---	1, 2, 5, 6
X	US 4 147 649 A (ARNAU JOSE L ET AL) 3 April 1979 (1979-04-03) claims; examples 14-20 ---	1, 2, 4-6
	-/--	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

17 February 2000

Date of mailing of the international search report

29/02/2000

Name and mailing address of the ISA

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Authorized officer

Grittern, A

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US 99/25224

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DE 27 03 998 A (HENKEL KGAA) 3 August 1978 (1978-08-03) claim 1 -----	1,2,5,6
X	US 4 018 720 A (LENGYEL STEPHEN PRICE ET AL) 19 April 1977 (1977-04-19) claims; tables 1,2 -----	1,2,5-9